

Message Text

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ACTION EUR-12

INFO OCT-01 IO-14 ISO-00 SP-02 ICA-20 AID-05 EB-08
NSC-05 TRSE-00 SS-15 STR-07 OMB-01 CEA-01 L-03
H-02 CIAE-00 COME-00 EA-12 FRB-01 INR-10 NEA-11
NSAE-00 OPIC-06 LAB-04 SIL-01 AGRE-00 /141 W
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R 141644Z JUN 78
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 7268
INFO ALL EC CAPITALS
USMISSION GENEVA

UNCLAS BRUSSELS 11750

USEEC

PASS AGRICULTURE ELECTRONICALLY
PARIS ALSO FOR USOECD
GENEVA ALSO FOR USMTN

E.O. 11652: N/A
TAGS: AGR, EEC
SUBJ: EC PROPOSAL ON LABELING, PRESENTATION AND
ADVERTISING OF FOODSTUFFS

REF: BRUSSELS 02067

1. SOURCES TELL US THAT WORKING LEVEL DISCUSSIONS ON
THE SUBJECT PROPOSAL HAVE ENTERED THE FINAL STAGES AT
THE COUNCIL. SEVERAL COMPROMISE SOLUTIONS HAVE APPARENTLY
ALREADY BEEN WORKED OUT WITH REGARD TO THE LISTING OF
INGREDIENTS (ARTICLE 6) AND DATEMARKING (ARTICLE 7)
MAINLY BY PROVIDING FOR A NUMBER OF NATIONAL EXEMPTIONS.
FURTHER DEROGATIONS FOR MEMBER STATES WILL LIKELY RESULT
BEFORE FINAL OUTSTANDING ISSUES ARE SETTLED. REMAINING
ISSUES INCLUDE ADDITIONAL QUESTIONS CONCERNING LABELING
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REQUIREMENTS FOR ADDITIVES AND DATEMARKING AS WELL AS
THE TIMEFRAME FOR IMPLEMENTATION OF THE DIRECTIVE.

2. THE COMMISSION PROPOSAL CALLS FOR A COMPULSORY INDIC-
ATION OF ADDITIVES BY THE NAME OF THEIR CATEGORY (COLOR,
PRESERVATIVES, ETC.) FOLLOWED BY THEIR SPECIFIC NAME OR
EEC NUMBER. THE IRISH, NETHERLANDS AND U.K. DELEGATIONS

ARE STILL OPPOSED TO THE USE OF A SPECIFIC NAME OR EEC NUMBER. THEY FAVOR USING THE NAME OF THE GENERAL CATEGORY OF ADDITIVE ONLY. IT IS LIKELY, SAY SOURCES, THAT THE FINAL RESULT WILL ALLOW MEMBER STATES TO EITHER POSTPONE IMPLEMENTATION OF THE SPECIFIC LABELING REQUIREMENT FOR A PERIOD OF AROUND 4 YEARS (PENDING SUBSEQUENT ACTION BY THE COUNCIL) OR TO DEVIATE SOMEWHAT FROM SPECIFIC USE OF THE EEC NUMBER OR NAME.

3. REGARDING DATEMARKING, THE WORDS "BEST BEFORE END" HAVE BEEN RETAINED DESPITE CONSIDERABLE DIVERSITY OF VIEWS ON THIS POINT. MEMBER STATES WILL, HOWEVER, AVE THE OPTION TO REQUIRE THE LATEST DATE OF CONSUMPTION TO BE INDICATED ON CERTAIN FOODSTUFFS WHICH ARE HIGHLY PERISHABLE FROM A MICROBIOLOGICAL POINT OF VIEW. IT IS EXPECTED THAT ONLY FRANCE AND BELGIUM ARE LIKELY TO REQUIRE THIS KIND OF LABELING, AND ONLY FOR A LIMITED NUMBER OF PERISHABLE ITEMS. WEST GERMANY MAY ALSO REQUIRE SUCH LABELING FOR MINCED MEAT, HOWEVER, THE OTHER MEMBER STATES APPEAR TO FAVOR THE "BEST BEFORE END" WORDING FOR ALL FOODSTUFFS. THERE IS NONETHELESS A GENERAL AGREEMENT TO RE-EXAMINE THIS ISSUE AT SOME FUTURE DATE. MEMBER STATES MAY ALSO WAIVE THE REQUIREMENT FOR A DATE OF MINIMUM SHELF LIFE INDICATION IN THE CASE OF FOODSTUFFS WITH A MINIMUM SHELF LIFE IN EXCESS OF 18 MONTHS (U.K. APPARENTLY HOLDING OUT FOR 12 MONTHS).

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4. THE CURRENT COMPROMISE SOLUTION STILL UNDER DISCUSSION REGARDING DIRECTIVE IMPLEMENTATION PROPOSES THAT MEMBER STATES PERMIT TRADE IN THOSE PRODUCTS COMPLYING WITH THE PROVISIONS OF THE DIRECTIVE NO LATER THAN TWO YEARS AFTER ITS NOTIFICATION AND PROHIBIT AFTER 4 YEARS TRADE IN PRODUCTS NOT IN COMPLIANCE. THERE ARE ALSO ADDITIONAL PROVISIONS FOR MEMBER STATE EXCEPTIONS FOR CERTAIN TYPES OF FOODSTUFFS, PARTICULARLY THOSE WITH LONG SHELF LIVES. HOWEVER, THE IRISH REPORTEDLY BELIEVE THAT EXCEPTIONS WOULD FRUSTRATE RATHER THAN IMPROVE INTRA-COMMUNITY TRADE.

5. THE GERMANS WILL CHAIR THE COUNCIL FOR THE SIX-MONTH PERIOD BEGINNING JULY 1, 1978. COMMISSION OFFICIALS BELIEVE THAT THE GERMANS ARE VERY ANXIOUS TO HAVE THIS PROPOSAL PASS DURING THEIR PRESIDENCY AND THEREFORE ONE MIGHT EXPECT THE PROPOSAL TO BE APPROVED BEFORE THE END OF 1978. HINTON.

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